
TITLE 327 WATER POLLUTION CONTROL DIVISION

Final Rule
LSA Document #16-4(F)

DIGEST

Amends [327 IAC 5-17-11](#) concerning the definition of "interference" as it relates to pretreatment discharge to a publicly owned treatment works (POTW). Effective 30 days after filing with the Publisher.

HISTORY

First Notice of Comment Period: January 13, 2016, Indiana Register (DIN: [20160113-IR-327160004FNA](#)).
Second Notice of Comment Period: April 13, 2016, Indiana Register (DIN: [20160413-IR-327160004SNA](#)).
Notice of First Hearing: April 13, 2016, Indiana Register (DIN: [20160413-IR-327160004PHA](#)).
Date of First Hearing: August 10, 2016.
Proposed Rule: August 31, 2016, Indiana Register (DIN: [20160831-IR-327160004PRA](#)).
Notice of Second Hearing: August 31, 2016, Indiana Register (DIN: [20160831-IR-327160004PHA](#)).
Date of Second Hearing: November 9, 2016.

[327 IAC 5-17-11](#)

SECTION 1. [327 IAC 5-17-11](#) IS AMENDED TO READ AS FOLLOWS:

[327 IAC 5-17-11](#) "Interference" defined

Authority: [IC 13-14-8](#); [IC 13-15-1-2](#); [IC 13-15-2-1](#); [IC 13-18-2](#); [IC 13-18-3](#)

Affected: [IC 13-11-2](#); [IC 13-13-5-1](#); [IC 13-18-4](#)

Sec. 11. (a) "Interference" means a discharge that, alone or in conjunction with a discharge or discharges from other sources, ~~does one (1) of the following:~~ (1) inhibits or disrupts the: ~~POTW, its~~

(1) treatment processes or operations; ~~its~~

(2) sludge processes; or ~~its~~

(3) selected sludge:

(A) use; or

(B) disposal methods;

of a POTW.

(b) The inhibition or disruption under subsection (a) must:

(2) ~~Causes~~ (1) **cause** a violation of ~~any~~ a requirement of the POTW's NPDES permit, including an increase in the magnitude or duration of a violation; **or**

(3) ~~Prevents~~ (2) **prevent** the use of the POTW's sewage sludge or its sludge disposal method selected in compliance with the following statutory provisions, regulations, or permits issued thereunder or more stringent state or local regulations:

(A) Section 405 of the Clean Water Act (33 U.S.C. 1345).

(B) The Solid Waste Disposal Act (SWDA) (42 U.S.C. 6901), including:

(i) Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA); and

(ii) the rules contained in ~~any~~ a state sludge management plan prepared pursuant to Subtitle D of the SWDA (42 U.S.C. 6941).

(C) The Clean Air Act (42 U.S.C. 7401).

(D) The Toxic Substances Control Act (15 U.S.C. 2601).

(Water Pollution Control Division; [327 IAC 5-17-11](#); filed Oct 10, 2000, 3:02 p.m.: 24 IR 294; filed Jan 18, 2017, 1:03 p.m.: [20170215-IR-327160004FRA](#))

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Proposed Rule: [20160831-IR-327160004PRA](#)

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Approved by Governor: January 13, 2017

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Documents Incorporated by Reference: None Received by Publisher

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